

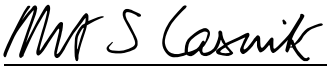
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LEWIS ELDON HUFFINE,	)	Case No. C07-1451-RSL
	)	
Plaintiff,	)	
	)	
v.	)	
	)	ORDER OF DISMISSAL
UNITED STATES OF AMERICA, et al.,	)	
	)	
Defendants.	)	

The Court, having reviewed plaintiff's proposed complaint and application to proceed *in forma pauperis* ("IFP") in this 42 U.S.C. § 1983 civil rights action, together with all materials in support of and in opposition to those documents, the Report and Recommendation of United States Magistrate Judge James P. Donohue, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's motion for leave to proceed IFP (Dkt. Nos. 1, 4, 5) is DENIED and his proposed complaint (Dkt. No. 1) is DISMISSED with prejudice except for plaintiff's deliberate indifference claim, which is DISMISSED without prejudice. One strike shall be assessed to plaintiff pursuant to 28 U.S.C. § 1915(g).
- (3) The Clerk of Court is directed to send copies of this Order to the parties and to Judge Donohue.

01 DATED this 26<sup>th</sup> day of November, 2007.

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04 Robert S. Lasnik  
05 United States District Judge  
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